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Attorneys for Plaintiff
Melecio P. Cuaresma

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

MELECIO P. CUARESMA,)	CIVIL NO. 17-00324 ACK-KSC
)	
Plaintiff,)	DECLARATION OF MELECIO
)	P. CUARESMA; EXHIBITS
vs.)	1 - 14
)	
LOCKHEED MARTIN)	
CORPORATION,)	
)	
Defendant.)	
)	

DECLARATION OF MELECIO P. CUARESMA

1. I am the Plaintiff in the above captioned matter and have personal knowledge of the facts stated herein.

2. I was hired by Defendant Lockheed Martin Corporation (“Lockheed”) on July 19, 2010.
3. I am Filipino and was born on November 4, 1952, and was 63 years old of age at the time of the discrimination.
4. On multiple occasions, Lockheed’s Program Manager and Assistant Manager subjected me to unequal employment terms and conditions based upon my age, Filipino ancestry, national origin, and favoring younger employees with less seniority and non-Filipino/non Phillippines employees.
5. I was subjected to unequal employment terms and conditions in the form of being over scrutinized and disciplined for things that other employees also did, yet other employees were not similarly disciplined.
6. On June 19, 2015, I found out that I was not being promoted to the Engineering Technician I position again. I had applied many times before, and each time, the Program Manager hired or promoted employees who were much younger, some as young as teenager, right out of high school to the position.
7. On June 30, 2015, I was suspended for leaving my backpack under the sink in the break room. Several other employees leave their backpacks

and bags on the break room floor, shelves, and other places, yet they are not similarly disciplined as I was.

8. On July 14, 2015, the Program Manager told me to leave the work place property.
9. On July 14, 2015, I told my Union about an unsafe condition on the property that I was told to leave.
10. On July 15, 2015, at about 2:00 p.m., my Union told my employer about the unsafe condition/safety violation I had reported.
11. On July 15, 2015, at about 6:30 p.m., the Defendant's supervisor decided to fire me according to Defendant's records.
12. On July 16, 2015, I complained to the State of Hawaii Occupational Safety and Health Administration (OSHA) about unsafe work conditions at Defendant's work site at Pearl Harbor.
13. On July 17, 2015, I was terminated from my position with Defendant because I allegedly left a wet floor scrubber pad on the metal casing of a transformer, although there was no sign indicating that the metal casing contained a transformer or was at all dangerous.
14. Prior to and after termination, I was fully capable of doing my job duties with Defendant.

15. Attached hereto as Exhibit 1, is a true and accurate copy of the Charge of Discrimination which I filed with the Equal Employment Opportunity Commission (EEOC).
16. Attached hereto as Exhibit 2, is a true and accurate copy of my answers to interview questions by the EEOC Investigator.
17. Attached hereto as Exhibit 3, is my intake interview with the EEOC. My answers to the investigation were true and accurate.
18. Attached hereto as Exhibit 4, is a copy of my Pre-Complaint Questionnaire submitted in support of my Charge of Discrimination.
19. Attached as Exhibit 5, is a copy of the Position Statement of Defendant to the Charge of Discrimination.
20. Attached as Exhibit 6, are true copies of e-mails acknowledging my application for Engineering Technician positions. I was never promoted to this position.
21. Attached as Exhibit 7, is a copy of my Union's evidence filed in my grievance NLPB ULP 20-CA-077986.
22. Attached as Exhibit 8, is a true and accurate copy of the July 16, 2015, letter from OSHA to Defendant about my complaint.

23. Attached as Exhibit 9, is a copy of the July 15, 2015, e-mails from my Union representative to Defendant's representative regarding my complaint about unsafe conditions.
24. Attached as Exhibit 10, is a true and accurate copy of the July 17, 2015, letter of my termination effective July 17, 2015.
25. Attached as Exhibit 11, is a copy of Defendant's response to the OSHA complaint dated July 23, 2015.
26. Attached as Exhibit 12, is the October 14, 2015, findings of OSHA.
27. Attached as Exhibit 13, is an October 20, 2015, e-mail from my Union representative regarding my wrongful termination due to my complaint to OSHA.
28. Attached as Exhibit 14, is the e-mail from my Union representative about their investigation of the unsafe work area reported by me to OSHA.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED: Honolulu, Hawaii, December 24, 2018.


MELECIO P. CUARESMA